

PTO/SB/26 (10-00)

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REJECTION OVER A PRIOR PATENT**Docket Number (Optional)
R0086B-DIV

In re Application of: PAUL A BELLONI

Application No. 09/868,202

Filed: SEPTEMBER 26, 2001

For: METHODS FOR THE TREATMENT OF EMPHYSEMA USING 13-CIS-RETINOIC ACID

The owner, 100 of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,339,107 B1. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

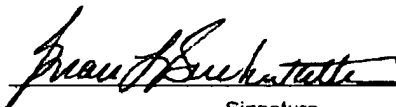
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